

EXHIBIT L

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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GATEGUARD, INC., :
Plaintiff, :
- against - : 21-cv-9321 (JGK)
AMAZON.COM INC., ET AL., :
Defendants. :
-----x

VIDEO DEPOSITION OF ODALIS TIBURCIO
Via Zoom Video Communications
Tuesday, January 30, 2024
10:35 a.m.

Videotaped deposition of
FINKELSTEIN TIMBERGER EAST REAL ESTATE, a
Non-Party Witness herein, BY: ODALIS TIBURCIO,
taken by the Plaintiff, in the above-entitled
action, held remotely at the above date and
time, before Carolyn Gioia, a machine
stenographic reporter and Notary Public within
and for the State of New York.

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MS. SANTORA: Objection. Misstates prior testimony.

A. No. Only the box, they were bringing the box.

Q. So -- okay, so I understand. So let's just go back really slowly in time. So, I guess, I imagine the first thing that happened is somebody rang the -- rang the doorbell.

MS. SANTORA: Objection.

A. Yes.

Q. And did they -- what -- so did somebody speak to you through an intercom saying, We are representatives of Amazon, we'd like to talk to you?

MS. SANTORA: Objection.

A. Oh, yes. And I went up. They were in front of the door.

Q. Okay. So just -- just so I understand exactly what happened.

So were you -- do you recall, were you in your office when a -- a call came through the intercom that Amazon representatives were at the door?

MS. SANTORA: Objection.

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A. I -- I don't remember.

Q. But you do remember hearing somebody -- one or more people through -- calling through the intercom for you to come to the door; is that right?

MS. SANTORA: Objection.

A. I don't remember. I just saw them in front of the door. I remember this -- this --

Q. Okay.

A. I don't know how they contact me. I just remember this.

Q. Okay, fair enough.

So you -- so you remember seeing these two people in front of the door, and what's the first thing that you remember them telling you?

MS. SANTORA: Objection.

A. They asked me if I'm the super and I said yes. We're coming from Amazon to install this key to give deliverers -- to give them access so they don't have to bother you, they can open up.

And I was concerned a little about intercoms. And they just told me, I'm coming through to install this device.

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Q. Did they ask you if you wanted the device?

MS. SANTORA: Objection.

A. I don't remember. If they may -- if they asked me that.

Q. Was it your impression that they already had been approved to come install this Key device?

MS. SANTORA: Objection.

A. I contact Paul, my boss, and I asked for permission, and he told me, yes, let them -- let them in.

Q. Oh, okay.

When -- when you asked Paul, what -- what do you remember telling Paul?

A. I have Amazon -- two Amazon guys here with -- with a -- with a device to -- and they say it's an Amazon Key to give deliverers access. They wanted to install this device in the basement next to -- 'cause, I remember, they told me next to the intercom device, the existing intercom device, and I -- and he said, yes, let them in.

Q. Okay. So -- so they said, if I -- if I heard you correctly, they wanted to install

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the key, you said, in the basement.

Did I hear that right?

A. Yes.

Q. But then after -- then you also said next to the existing intercom device.

Did I hear that right?

A. Yes.

MS. SANTORA: Objection.

Q. But the intercom device is not in the basement; right?

A. The --

MS. SANTORA: Objection.

A. -- power supply.

Q. The power supply's in the basement?

A. Yes.

Q. But the -- the intercom is not in the basement; right?

(Multiple speakers.)

A. The screen is not in the basement.

Q. So what -- what exactly is in the basement? Related --

A. The power supply.

Q. -- related to -- just the power.

Is there a -- is there some sort of a call box in the basement?